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EXAMINER	
NGUYEN, NAM V	

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/692,616	EYER, MARK KENNETH	
	Examiner	Art Unit	
	Nam V. Nguyen	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 September 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/15/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to applicant's Amendment which is filed September 14, 2007.

An amendment to the claims 1, 5, 12, 23-25, 28, 31-33 and 37 has been entered and made of record in the application of Eyer for a "home network interface legacy device adapter" filed October 24, 2003.

Claims 1-41 are now pending in the application.

Response to Arguments

In view of applicant's amendment to amend the claims 5 to obviate the 35 U.S.C. §112 rejections, therefore, examiner has withdrawn the rejection under 35 U.S.C §112, second paragraph.

Applicant's arguments with respect to claims 1-22 and 31-32, filed September 14, 2007 have been fully considered but are moot in view of the new ground(s) of rejection.

Applicant's amendments to the rejected claims are insufficient to distinguish the claimed invention from the cited prior arts or overcome the rejection of said claims under 35 U.S.C §

102(e) as discussed below. Applicant's amendment and argument with respect to the pending claims 23-30 and 33-41, filed September 14, 2007, have been fully considered but they are not persuasive for at least the following reasons.

On page 13, last paragraph, Applicant's arguments with respect to the invention in Neuman does not teach or suggest that a second network adapter being wirelessly coupled to the second legacy device, the second network adapter to transfer the representation of the data code sequence from the transmission medium to the second legacy device is not persuasive.

As defined by claims 1, 12 and 24-25, the central settop box (102) of Neuman includes an IR LED (106) (i.e. a blaster). The IR LED (106) (i.e. a blaster) (106) transmits the signal into the room where it will bounce of objects and reflect back into the program source (107) (such as a VCR) in the room. The program source 107 responds to the commands and sends its program content to the digital network 111 via link 108 and the network interface 103 (page 4 paragraphs 0047 to 0052; see Figures 1 and 5). Finally, the remote display or speakers 112 receives the program from source 107, even though source 107 may be separated from IR remote 109 and display 112 by one or more walls 113. Clearly, Neuman discloses that the central settop box 102 transmits the command signal wirelessly to the VCR 107, the central settop box 102 to transfer the packetized IR commands from the digital network (111) to the VCR (107). In other words, a second network adapter (102) (i.e. a central settop box) being wirelessly coupled to the second legacy device (107) (i.e. the program source or the AN equipment (VCR)), the second network adapter (102) (i.e. a central settop box) to transfer the representation of the data code sequence from the transmission medium (111) to the second legacy device (107).

Furthermore, as another embodiment of a system arrangement, the IR Blaster (106) is connects to the central STB (102) to receive the packetized IR commands from the remote settop box (101). The IR Blaster (106) transfers the packetized IR commands to the VCR (107) wirelessly by the IR blaster command (page 2 paragraph 0021, page 4 paragraph 0045; see Figures 1 and 3). Clearly, Neuman discloses that the central settop box 102 transmits the command signal wirelessly to the VCR 107 by the IR blaster 106, the central settop box 102 to transfer the packetized IR commands from the digital network (111) to the VCR (107). In other words, a second network adapter (102) (i.e. a central settop box) being wirelessly coupled to the second legacy device (107) (i.e. the program source or the AN equipment (VCR)), the second network adapter (102) (i.e. a central settop box) to transfer the representation of the data code sequence from the transmission medium (111) to the second legacy device (107).

The examiner maintains that the references cited and applied in the last office actions for the rejection of the claims 23-30 and 33-41 are maintained in this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 23-30 and 33-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Neuman (Pub. No. 2003/0195969).

Referring to Claims 23-25, 28, 33 and 37, Neuman discloses a system and a method for wireless control of home media sources (page 1, paragraph 0007 to 0009; see Figure 1), comprising: a first legacy device (112) (i.e. a TV or a display); a digital network (111), a second legacy device (107) (i.e. a VCR or a DVD) (page 2, paragraph 0021; see Figure 1);

a first network adapter (101) (i.e. a remote settop box) coupled to the first legacy device (112), the first network adapter (101) having IR receiver (401 and 402) (see Figure 4A) to receive a IR command signal, the IR command signal recognized by the second legacy device (107) and to control the second legacy device (107), the first network adapter (101) having a signal processor (405) packetizes the IR commands and forwards them across digital network (111), the first network device (101) to transfer packetized IR commands to the digital network (111) (page 2, paragraph 0021; page 3 paragraphs 0030 to 0038; see Figures 1 and 4A); and

a second network adapter (102) (i.e. a central settop box) coupled to transfer the packetized IR commands from the digital network (111) to the second legacy device (107),

the second legacy device (107) having circuitry to transfer an analog audio/video signal to the second network adapter (102) in response to the packetized IR commands (page 2, paragraph 0021; see Figure 1 and 2),

the second network adapter (102) having central signal processor (501) to encode the analog audio/video signal into a digital audio/video data stream (page 4 paragraph 0048, page 5 paragraph 0053; see Figures 1-2 and 5),

the second network adapter (102) having network interface to transfer the digital audio/video data stream to the first network adapter (101) via the digital network (111) (page 4 paragraph 0045; see Figure 3),

the first network adapter (101) having circuitry to decode the digital audio/video data stream back into the analog audio signal, and circuitry to transfer the analog audio/video signal to the first legacy device (112) (page 2 paragraph 0021; page 5 paragraph 0053; see Figures 1-3).

Referring to Claims 34-35 and 38-39, Neuman discloses the system and the method of claims 33 and 37, wherein the digital network (111) is a twisted pair and/or an Ethernet (page 1 paragraph 0005; page 1 paragraph 0008; page 2 paragraph 0021; see Figure 1).

Referring to Claims 36 and 40-41, Neuman disclose the system and the method of claims 33 and 38, wherein the digital network (111) is a wireless 802-11 digital network (page 1 paragraph 0008).

Referring to Claim 26-27 and 29-30, Neuman disclose the system and the method of claims 25 and 28, further comprising circuitry to multiplex the digital audio data stream with the digital video data stream and to transfer the multiplexed digital audio data stream and digital video data stream to the transmission medium (page 5 paragraph 0053; see Figure 7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-9 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neuman (Pub. No. 2003/0195969) in view of Shintani et al. (US# 6,111,677).

Referring to Claims 1, 12 and 31-32, Neuman discloses a system and a method for wireless control of home media sources (page 1, paragraph 0007 to 0009; see Figure 1), comprising: a first legacy device (112) (i.e. a TV or a display); a digital network (111), a second legacy device (107) (i.e. a VCR or a DVD) (page 2, paragraph 0021; see Figure 1);

a first network adapter (101) (i.e. a remote settop box) coupled to the first legacy device (112), the first network adapter (101) having IR receiver (401 and 402) (see Figure 4A) to receive a IR command signal (i.e. a data code sequence) on an IR signal (110), the IR command signal (i.e. a data code sequence) recognized by the second legacy device (107) and to control the second legacy device (107), the first network adapter (101) having a signal processor (405) packetizes the IR commands and forwards them across digital network (111), the first network adapter (101) having a network interface (412) (i.e. a first optical transmitter) to transfer packetized IR commands to the digital network (111) (page 2, paragraph 0021; page 3 paragraphs 0030 to 0038; see Figures 1 and 4A); and

a second network adapter (102) (i.e. a central settop box) being wirelessly coupled to the second legacy device (107) (i.e. the AN equipment), the second network adapter (102) (i.e. a central settop box) to transfer the packetized IR commands from the digital network (111) to the second legacy device (107) (page 4 paragraph 0047; see Figure 5);

the second legacy device (107) having circuitry to transfer an analog audio/video signal to the second network adapter (102) in response to the packetized IR commands (page 2, paragraph 0021; see Figure 1 and 2);

the second network adapter (102) having central signal processor (501) to encode the analog audio/video signal into a digital audio/video data stream (page 4 paragraph 0048, page 5 paragraph 0053; see Figures 1-2 and 5),

the second network adapter (102) having network interface to transfer the digital audio/video data stream to the first network adapter (101) via the digital network (111) (page 4 paragraph 0045; see Figure 3),

the first network adapter (101) having circuitry to decode the digital audio/video data stream back into the analog audio signal, and circuitry to transfer the analog audio/video signal to the first legacy device (112) (page 2 paragraph 0021; page 5 paragraph 0053; see Figures 1-3).

However, Neuman did not explicitly disclose that the data code sequence including pulses, the pulse having a predetermined width, the data code sequence including gaps positioned between the pulses, the gaps having a predetermined width, a combination of data code sequences pulses and data code sequence gaps representing at least a start sequence.

In the same field of endeavor of remote control interface over a network system, Shintani et al. teach that a serial data (i.e. a data code sequence) including guide pulses (i.e. pulses), the

guide pulse having a predetermined duration (i.e. width), the data code sequence including off time (i.e. gaps) positioned between the pulses, the gaps having a predetermined duration (i.e. width), a combination of data code sequences pulses and data code sequence gaps representing at least a start word (410) of a start interval (310) (i.e. a start sequence) (column 4 lines 36 to column 5 line 65; column 5 line 66 to column 6 line12; see Figures 3 and 4A) in order to obtain the best transmission strategy for transmitting the serial data bus protocol.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using the serial data including the start interval which includes guide pulses and data bit off time taught by Shintani et al. in the packet structure of packetized IR control data command signal of Neuman because using the serial data including the start interval would avoid errors with a maximum time interval for the data interval in a transmission communication in a home network.

Referring to Claim 2-3 and 13-14, Neuman in view of Shintani et al. disclose the system and the method of claims 1 and 12, wherein the digital network (111) is a twisted pair and/or an Ethernet (page 1 paragraph 0005; page 1 paragraph 0008; page 2 paragraph 0021; see Figure 1).

Referring to Claims 4-5 and 15-16, Neuman in view of Shintani et al. disclose the system and the method of claims 1 and 12, wherein the digital network (111) is a wireless 802-11 digital network (page 1 paragraph 0008).

Referring to Claims 6 and 17, Neuman in view of Shintani et al. disclose the system of claims 1 and 12, wherein the first network adapter (101) includes IR receiver and RC filter receive the IR command signals (page 2 paragraph 0023; see Figure 4a).

Referring to Claims 7-8 and 18-19, Neuman in view of Shintani et al. disclose the system of claims 1 and 12, wherein the second network adapter (102) includes IR LED (106) to transmit the packetized IR command to the second legacy device (107) via infrared blaster command (115) (page 2 paragraph 0021; see Figures 1-3 and 5).

Referring to Claims 9 and 20, Neuman in view of Shintani et al. disclose the system of claims 1 and 12, further comprising a remote control unit (109) to transmit the IR command to the first network adapter (101) (page 2 paragraph 0021; see Figure 1).

Claims 10-11 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neuman (Pub. No. 2003/0195969) in view of Shintani et al. (US# 6,111,677) as applied to claim 1 above, and further in view of Rakib (US# 6,970,127).

Referring to claims 10-11 and 21-22, Neuman in view of Shintani et al. disclose the system of claims 1 and 12, however, Neuman in view of Shintani et al. did not explicitly disclose further comprising a wireless keyboard or a personal digital assistant to transmit the data code sequence to the first network adapter.

In the same field of endeavor of a remote control for wireless control of a system, Rakib teaches that a wireless keyboard or a personal digital assistant (100) (i.e. as a wireless remote control unit) to transmit a wireless command to a wireless gateway (10) or a settop box decoder (80) (column 11 lines 11 to 22; column 31 lines 60 to 67; see Figures 3-5 and 9) in order to allow e-mail data to be typed and URL addresses to be entered as a user input devices.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a wireless keyboard or a personal digital assistant as a wireless remote control device taught by Rakib in a system for wireless control of home media sources of Neuman in view of Shintani et al. because using the wireless keyboard or the personal digital assistant as a wireless remote control device would allow user increase functionality of the home media network system.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rye et al. (US# 6,229,433) disclose an appliance control.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571- 272-3059. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen
November 14, 2007

BRIAN ZIMMERMAN
SUPERVISORY PATENT EXAMINER